

MINUTES OF CLINTON TOWNSHIP BOARD OF ADJUSTMENT

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SPECIAL IN-PERSON PUBLIC MEETING

DATE: April 24, 2023

Chairman McTiernan called the meeting to order at 7:00pm.

Chairman McTiernan read the Public Notice.

This was an in-person Special public meeting of the Zoning Board of the Township of Clinton, County of Hunterdon and State of New Jersey. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that an Annual Notice was published in the Hunterdon County Democrat and the notice of and agenda for this meeting was posted on the bulletin boards in the Municipal Building and outside the Planning and Zoning Office and faxed to the Hunterdon County Democrat, the Express Times, the Courier News, the Hunterdon Review, and the Star Ledger, no later than the Friday prior to the meeting.

MEMBERS IN ATTENDANCE

Bayly, Kiefer, McTiernan, Naylor, Rohrbach, Stevens

Ms. Lyte arrived at 7:05pm

MEMBERS ABSENT

Pfeffer, Ryan

PROFESSIONALS/STAFF IN ATTENDANCE

- 1) Jonathan Drill, Esq., Board Attorney
- 2) Tom Behrens, Board Planning Expert
- 3) Jackie Klapp, Board Stenographer (via Zoom)
- 4) Denise Filardo, Board Secretary

MEETING MINUTES

- 1) MEETING MINUTES - August 22, 2022

A motion was made by Ms. Stevens and seconded by Ms. Rohrbach to adopt the Meeting Minutes of August 22, 2022. The vote record follows.

Roll Call: Meeting Minutes of August 22, 2022						
Member	Motion	2nd	Yes	No	Not Eligible	Absent

Bayly					X	
Kiefer					X	
Lyte						X
McTiernan (Chair)					X	
Naylor (Alt. 2)					X	
Pfeffer (Vice Chair)						X
Rohrbach		X	X			
Ryan (Alt. 1)					X	X
Stevens	X		X			

2) MEETING MINUTES – February 6, 2023

A motion was made by Mr. Bayly and seconded by Ms. Stevens to adopt the Meeting Minutes of February 6, 2023. The vote record follows.

Roll Call: Special Meeting Minutes of February 6, 2023						
Member	Motion	2nd	Yes	No	Not Eligible	Absent
Bayly	X		X		X	
Kiefer					X	
Lyte					X	X
McTiernan (Chair)			X			
Naylor (Alt. 2)			X			
Pfeffer (Vice Chair)						X
Rohrbach			X			
Ryan (Alt. 1)						X
Stevens		X	X			

RESOLUTIONS

None.

PUBLIC HEARINGS

1) LANDOWNER MARKETING, LLC

1755 Route31

Block 68, Lot 9.02

Application No. 2022-10

Applicant is seeking a bifurcated D(1) Use Variance for Self-Storage Use, D(4) FAR Variance and D(6) Height Variance.

This application is continued from March 27, 2022

The applicant’s attorney, Bob Smith, Esq. communicated that the applicant has made the following modifications to the proposed relief:

- Reduced the building from three-stories to two-stories with a maximum height of 34 feet which eliminates the need for height variance relief;
- Reduced square footage of building from 134,000sf to 100,000sf;
- Reduced FAR from 65.4% to 49.1% ;
- Increased number of parking spaces from 6 spaces to 9 spaces; and
- Now proposing a two (2) acre deed restricted conservation area at rear of property to address concerns from neighboring residential properties.

The following individuals were sworn on March 27, 2023:

- Mitch Ardman, PE, Principal of Reynolds Group;
- Jered Duke, Self-Storage Developer;
- Rianna Kirchhof, PE, Traffic Engineer at Dolan & Dean

Jim Kyle, PP the applicant's Planning Expert was sworn tonight.

Referencing the Proposed Self-Storage Concept Plan Exhibit dated 4/20/23, Mr. Ardman's testimony included and was not limited to the following:

- Oriented Board with existing site conditions and the surrounding area;
- Identification of steep area to the front of the site which is mostly in the Route 31 right of way;
- Location of the proposed driveway;
- Aisle width of building drive through which accommodates parking while accessing storage units;
- Counter-clockwise circulation to exit the site around back of the building;
- Two proposed detention basins at front of property near Route 31;
- Proposed two-acre deed restricted conservation area near residential neighbors;
- Summary of proposed changes which include elimination of height variance which added the need for a setback variance; elimination of conservation variance and a parking plan which is more compliant.

Discussion ensued regarding fire requirements:

- whether there is ample space withing the building drive through to accommodate Fire ladder trucks;
- the Fire Department's request for two means of access/egress;
- Water access for fire suppression, either obtain permission to tie into force water main on Route 31 for fire suppression only or provide underground water tank(s).

Board Attorney Drill read condition no. 8 pertaining to fire protection (see below) from the Inder Resolution No. 2006-27 which memorialized an approval to construct a self-storage facility on this site which was not constructed.

8. **Fire Protection.** The applicant shall comply with the ordinance provisions governing fire protection through the installation of underground water storage tanks ("UST") in the event that it cannot obtain water from the Town of Clinton. One (1) such UST shall be provided at the retail building and one (1) such UST shall be provided at the self storage building in locations acceptable to the Township Fire Marshall (as to proximity to the buildings) in consultation with the

Township Engineer (as to location vis-à-vis carbonate rock below grade). The self storage building shall be provided with a “Siamese” connection. The retail building shall be provided with a gravity sprinkler system.

It was identified that a detention basin is a fixed component of this plan and it is prohibited in a front yard, and as such will require a variance.

Mr. John Oskam, a member of the public had questions regarding the height of the retaining wall and the revised height of the building in the Northwest corner.

It was identified that a detention basin is a fixed component of this plan and it is prohibited in a front yard, and as such will require a variance. It was also identified that a height variance will be needed for the height of the retaining wall.

Mr. Duke’s testimony included and was not limited to the following:

- Number of Self-Storage facilities within a few miles of the subject site;
- Industry standards pertaining to hours of operation, hours managers are on site and key code access;
- No electric in the individual storage units, no floor drains;
- Zambonies are used to clean up water and oil spills are tended to with spill kits can be wiped up on epoxy flooring;
- Prohibited storage items such as flammable items, vehickes batteries and fuel which are all contained in the lease.

Discussion ensued regarding security, installation of call stations for emergencies and rear entry access to be limited to a manager and the Fire Company.

The Board took a brief recess at 8:17pm and resumed at 8:24pm.

Questions were raised by the following members of the public:

Ms. Satya Murthy asked Mr. Duke why they choose a location so close to a residential area. Mr. Duke replied that the property fronts Route 31 which is a four-lane commercial road.

Mr. Frank Fabits questioned the radius used in the applicant’s site study. Mr. Duke replied that they used a five-mile radius which is the industry standard.

Mr. Ray Stoner raised concern regarding a past Article in Star Ledger regarding an arrest regarding the theft of rifles/guns from a storage unit in another area of New Jersey.

Discussion about landscape buffers and Attorney Smith Bob said that they will consider looking at buffer requirements & lighting requirements.

Ms. Rianna Kirchof, PE was sworn at the March 27, 2023 hearing. Ms. Kirchof’s qualifications were accepted by the Board as Traffic Expert.

Ms. Kirchof’s testimony included and was not limited to the following:

- Review of the Traffic Impact Statement
- Noting that NJDOT approval needed to construct driveway;
- Right in and right out of the driveway
- Using the Land Use Category as a mini-warehouse, it is estimated that nine (9) trips will be generated during am peak hour and fifteen (15) trips on pm commute which will not have a significant impact and will not cause congestion.

The applicant will send a copy of the lease to Board Attorney Drill and Board Secretary Filardo prior to the next hearing.

The applicant will do a new notice which will include additional relief and they will be back on May 22nd to continue the application. Attorney Smith gave the Board until June 30th to decide the application.

ADJOURNMENT

A motion was made by Ms. Lyte and seconded by Mr. Naylor and the meeting was adjourned at 9:05pm.

Respectfully Submitted,

Denise Filardo

Planning and Zoning Board Secretary

These minutes were approved on May 22, 2023.